

REMARKS / ARGUMENTS

New claims 29-31 are supported by the specification, particularly at the first paragraph on page 5.

The amendment to claim 25 is supported by the specification, particularly the disclosure on page 3.

Claims 25-27 are rejected under 35 USC 112, first paragraph, as failing to meet the enablement requirement. Applicants request reconsideration and withdrawal of this rejection for the reasons that follow.

The basis for the rejection is the Examiner's unsupported contention that due to the unpredictability in the art, no one skilled in the art would accept the assertion that the claimed agents could be predictably used to prevent or reverse BCRP-mediated resistance to anticancer agents. However, since the Examiner does not provide any objective evidence that casts doubt upon the present disclosure, a rejection under 35 USC 112, based on lack of enablement is improper. See, MPEP 2164.04. Therefore, Applicants request withdrawal of this rejection.


Claims 25-27 are rejected under 35 USC 103(a) over Bilodeau et al. Applicants request reconsideration and withdrawal of this rejection for the reasons that follow.

The claims are now amended to require co-administration of the anticancer agent with imatinib. There would be no reason to continue to administer the anticancer agent after resistance to it developed. Therefore, the co-administration of the anticancer agent and imatinib would not be obvious over the disclosure of the reference. Accordingly, withdrawal of the rejection under 35 USC 103(a) is requested.

Entry of this response and reconsideration and allowance of the claims are respectfully requested.

Respectfully submitted,

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